



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,037	12/11/2003	Giora Biran	FIS920030289US1	8778
45094 7590 03/19/2009 HOFFMAN WARNICK LLC 75 STATE ST 14TH FL ALBANY, NY 12207				
EXAMINER GOODCHILD, WILLIAM J				
ART UNIT 2445		PAPER NUMBER		
NOTIFICATION DATE 03/19/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

efi@plaw@us.ibm.com
PTOCommunications@hoffmanwarnick.com

Office Action Summary

Application No.

10/734,037

Applicant(s)

BIRAN ET AL.

Examiner

WILLIAM J. GOODCHILD

Art Unit

2445

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/05/2009 has been entered.

Claim Rejections - 35 USC § 112

2. Claims 5, 12 and 19 recite the limitation "the CQE" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elzur, (US Publication No. 2004/0034725), and further in view of Shah et al., (US Patent No. 6,460,080), (hereinafter Shah).

Regarding claims 1, 9 and 16, Elzur discloses placing each out-of-order [Elzur, paragraph 9, line 6] RDMA message [Elzur, paragraph 9, line 1] to a reassembly buffer [Elzur, paragraph 9, lines 8-9, 'or alternatively requires buffering till the TCP hole is plugged'], wherein each in-order RDMA message bypasses the reassembly buffer [Elzur, paragraph 9 and paragraph 6, lines 6-8] and is sent to an internal data buffer [Elzur, paragraph 6, lines 11-12, 'It may also remove the need for data buffering on the NIC', meaning that there can be data buffering on the NIC] for direct placement to a destination buffer [Elzur, paragraph 6, lines 6-8];

storing information regarding each out-of-order [Elzur, paragraph 9, line 7] RDMA message [Elzur, paragraph 6, lines 6-8] on a per TCP hole basis [Elzur, paragraph 9, line 5], wherein a TCP hole is a vacancy created in a TCP stream as a result of an out-of-order TCP segment [Elzur, paragraph 9, lines 1-9], in a connection context on a per TCP hole basis [Elzur, paragraph 9, lines 1-9];

delivering the plurality of RDMA messages in-order [Elzur, paragraph 6, lines 6-11], such that the out-of-order RDMA messages are reassembled in-order in the reassembly buffer [Elzur, paragraph 9, buffering till the TCP hole is plugged].

Elzur does not specifically disclose wherein the information stored for RDMA Read messages includes at least a number of pending RDMA Read Request messages waiting for a doorbell ring or a number of completed RDMA Read Response messages]. However, Shah, in the same field of endeavor discloses send and receive requests with descriptors in a work queue and ringing a doorbell to notify the NIC that work has been placed in the work queue [Shah, column 5, lines 1-6].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include read requests and read response messages waiting for a doorbell ring in order to inform the NIC that work is waiting.

Regarding claims 2, 10 and 17, Elzur-Shah further discloses ringing the doorbell of a network interface controller (NIC) [Shah, column 5, lines 1-8] that each of the number of pending RDMA [Elzur, paragraph 6] read response messages [Shah, column 5, lines 1-8] have been posted to a respective work queue element (WQE) of a read queue [Shah, column 5, lines 1-15] upon closing of a respective TCP hole [Elzur, paragraph 9].

Regarding claim 3, Elzur-Shah further discloses processing each WQE [Shah, column 5, lines 1-15].

Regarding claims 4, 11 and 18, Elzur-Shah further discloses for RDMA Send type messages, the delivery step includes, for each RDMA Send message of a TCP hole [Elzur, paragraphs, 6 and 9], placing RDMA Send message specific information to a

Art Unit: 2445

work queue element (WQE) associated with the respective RDMA Send message [Shah, column 5, lines 1-15].

Regarding claims 5, 12 and 19, Elzur-Shah further discloses placing the CQE to a completion queue (CQ) upon closing of the TCP hole [Shah, column 5, line 11].

Regarding claims 6, 13 and 20, Elzur-Shah further discloses wherein a number of CQEs is equal to a number of RDMA Send messages [Shah, column 5, lines 1-15] of the TCP hole [Elzur, paragraph 9].

Regarding claims 7, 14 and 21, Elzur-Shah further discloses wherein RDMA Send message specific information is retrieved from a respective WQE upon a Poll-for-Completion request by an RDMA verb interface [Shah, column 5, lines 8-15].

Regarding claims 8, 15 and 22, Elzur-Shah further discloses reporting completion of RDMA Read work requests [Shah, column 5, lines 8-11] upon closing of the TCP hole [Elzur, paragraph 9].

Response to Arguments

5. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested that applicant clearly indicate the portion(s) of applicant's specification that support the amended claim language for ascertaining the metes and bounds of applicant's claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is

(571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/
Primary Examiner, Art Unit 2445

WJG
03/10/2009